



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,599	10/05/2000	Ira Pastan	15280-259120US	2466

20350 7590 08/26/2002

TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

UNGAR, SUSAN NMN

ART UNIT	PAPER NUMBER
----------	--------------

1642

DATE MAILED: 08/26/2002

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1642

1. The Amendment filed June 27, 2002 (Paper No. 11) in response to the Office Action of December 19, 2001 (Paper No. 9) is acknowledged but has not been entered because an amendment canceling all claims drawn to the elected invention and presenting only claims drawn to a nonelected invention (see below) should not be entered, see MPEP 821.03

2. The amendment filed on June 27, 2002 (Paper No. 11) canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because the canceled elected invention is drawn to a vaccine for the inhibition or prevention of mesotheliomas or ovarian tumors comprising administering a mesothelin derived antigen to a patient while the newly added claims are drawn to SEQ ID NO:2 but not to a vaccine for the inhibition or prevention of mesotheliomas or ovarian tumors comprising administering a mesothelin derived antigen to a patient and further, the newly added invention differs in objectives, dosages, and criteria for success from the originally elected invention.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

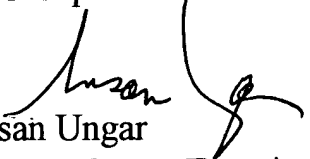
Art Unit: 1642

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Ungar, PhD whose telephone number is (703) 305-2181. The examiner can normally be reached on Monday through Friday from 7:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Caputa, can be reached at (703) 308-3995. The fax phone number for this Art Unit is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Effective, February 7, 1998, the Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 1642.



Susan Ungar
Primary Patent Examiner
August 8, 2002